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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/879,070	06/19/1997	JEROME D JOHNSON	O14-010-01-US	9054

54092 7590 12/29/2006

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EXAMINER	
FRENEL, VANEL	
ART UNIT	**PAPER NUMBER**
3627	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/29/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	08/879,070	JOHNSON ET AL.	
	Examiner	Art Unit	
	Vanel Frenel	3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 April 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3,5,7,11 and 13-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3,5,7,11 and 13-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Notice to Applicant

1. This communication is in response to the Amendment filed on 4/28/05. Claims 1-7 and 11-13 have been amended. Claims 14-23 have been newly added. Claims 1, 3, 5, 7, 11, 13 and 14-23 are pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1, 3, 5, 7, 11, 13 and 14-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dworkin (4,992,940) in view of (Sales –force automation comes of age. (includes related articles on how Hewlett –Packard Co. Computer Systems Group implemented technology –enabled selling applications (hereinafter SFA), Joseph (5,878,401) and Bennett et al (4,591,983).

(A) As per claim 1, Dworkin discloses a method for facilitating a sale of a product with a computer system from an inventory of a selling entity (See Dworkin, Col.4, lines 45-61), the method comprising steps of:

receiving information into the computer system regarding a customer's needs and desired option selections related to one or more of products of the selling entity (See Dworkin, Col.4, lines 35-44; Col.6, lines 44-64);

receivinq a value input associated with each desired option selection into the computer system to rank the importance the desired option selections (See SFA, Page 3, Paragraphs 7-29).

Dworkin and SFA do not explicitly disclose that the method having identifying from the inventory of the selling entity one or more available products that most closely matches the configured product havinq the desired option selections of the customer based on the value input associated with the desired option selections, when an identified available product that exactly corresponds to the configured product is not found in the inventory of the selling entity.

However, these features are known in the art, as evidenced by Joseph. Inparticular, Joseph suggests that the method having identifying from the inventory of the selling entity one or more available products that most closely matches the configured product havinq the desired option selections of the customer based on the value input associated with the desired option selections (See Joseph, Col.4, lines 30-67), when an identified available product that exactly corresponds to the configured product is not found in the inventory of the selling entity (See Joseph, Col.5, lines 50-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the features of Dworkin, SFA within the system of Joseph with the motivation of determining alternative items for the requested item if the requested item is unavailable (See Joseph, Col.2, lines 29-30).

Furthermore, Dworkin, SFA and Joseph do not explicitly disclose that the method having defining a configured product which satisfies the customer's needs and the desired option selections using one or more solvers containing logic rules to constrain selection of available product options.

However, this feature is known in the art as evidenced by Bennett. In particular, Bennett suggests that the method having defining a configured product which satisfies the customer's needs and the desired option selections using one or more solvers containing logic rules to constrain selection of available product options (See Bennett, Col.10, lines 65-68 to Col.11, line 61; Col.16, lines 22-68).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the features of Bennett within the collective teachings of Dworkin, SFA and Joseph with the motivation of providing a knowledge system for configuration checking which clearly separates the definition of configuration constraints for configuration checking strategies and actions (See Bennett, Col.3, lines 39-43).

(B) As per claim 2, Joseph discloses the method of claim 1 wherein the value input associated with the desired options corresponds to a numeric value indicating importance of the associated desired option selection (See Joseph, Col.4, lines 30-67).

(C As per claim 3, Dworkin discloses the method of claim 1 wherein the value input associated with the desired options corresponds to a relative value indicating importance of the associated desired option selection as compared to other desired

option selections, the identifying step comprises identifying from (See Dworkin, Col.4, lines 30-67); the inventory of the selling entity one or more available products that most closely matches the configured product based on using the relative values of the value input associated with the desired option selections (See Dworkin, Col.4, lines 30-67).

(D) As per claim 4, Joseph discloses the method of claim 2 wherein the numeric value used in the value input corresponds to a value between 0 and 10. (See Joseph, Col.3, lines 65-67 to Col.4, line 15).

(E) As per claim 5, Bennett discloses the method of claim 1 wherein the logic rules comprise constraint rules which define engineering relationships between product options used to constrain use of combinations of options (See Bennett, Col.4, lines 4-16).

(F) As per claim 6, SFA discloses the method of claim 1wherein the logic rules comprise resource rules which define relationships between product options in terms of resources used and resources required (See SFA, Page 3, Paragraphs 7-17).

(G) As per claim 7, SFA discloses the method of claim 1 wherein the logic rules comprise cross-reference rules which define relationships between similar product options (See SFA, Page 3, Paragraphs 7-17).

(H) As per claim 11, Dworkin discloses a method for facilitating a sale of a configurable product with a computer system from an inventory of a selling entity, the method comprising the steps of:

presenting a customer by use of the computer system with a desired option selections available for inclusion within one or more of the selling entity configurable products (See Dworkin, Col.4, lines 35-44; Col.6, lines 44-64);

receiving information into the computer system regarding needs of the customer and desired option selections related to one or more of the selling entity configurable products (See SFA, Page 3, Paragraphs 7-23);

receiving a value input associated with each desired option selection into the computer system to rank importance of each of the desired option selections (See SFA, Page 5, Paragraphs 3-19);

defining a configured product found within the inventory of the selling entity which satisfies the needs of the customer and the desired option selections using one or more solvers containing logic rules to constrain selection of available product options; and

Dworkin and SFA do not explicitly disclose that the method having presenting the customer by utilizing the computer system with one or more configured products found in the inventory of the selling entity that most closely matches the desired option selections specified by the customer based on the value input associated with the desired option selections, when the one or more configured products found in the

inventory of the selling entity contain less than all of the desired selection option selections specified by the customer.

However, these features are known in the art, as evidenced by Joseph. In particular, Joseph suggests that the method having presenting the customer by utilizing the computer system with one or more configured products found in the inventory of the selling entity that most closely matches the desired option selections specified by the customer based on the value input associated with the desired option selections (See Joseph, Col.4, lines 30-67), when the one or more configured products found in the inventory of the selling entity contain less than all of the desired selection option selections specified by the customer (See Joseph, Col.5, lines 50-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the features of Dworkin, SFA within the system of Joseph with the motivation of determining alternative items for the requested item if the requested item is unavailable (See Joseph, Col.2, lines 29-30).

Furthermore, Dworkin, SFA and Joseph do not explicitly disclose that the method having defining a configured product found within the inventory of the selling entity which satisfies the needs of the customer and the desired option selections using one or more solvers containing logic rules to constrain selection of available product options.

However, this feature is known in the art as evidenced by Bennett. In particular, Bennett suggests that the method having defining a configured product found within the inventory of the selling entity which satisfies the needs of the customer and the desired option selections using one or more solvers containing logic rules to constrain selection

of available product options (See Bennett, Col.10, lines 65-68 to Col.11, line 61; Col.16, lines 22-68).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the features of Bennett within the collective teachings of Dworkin, SFA and Joseph with the motivation of providing a knowledge system for configuration checking which clearly separates the definition of configuration constraints for configuration checking strategies and actions (See Bennett, Col.3, lines 39-43).

(I) As per claim 12, Bennett discloses the method of claim 11 wherein the value input associated with the desired option selections corresponds to a numeric value indicating importance of the associated desired option selection (See Bennett, Col.11, lines 1-48).

(J) As per claim 13, SFA discloses the method claim 11 wherein the value input associated with the desired options corresponds to a relative value indicating importance of the associated desired option selection as compared to other desired option selections, the step of presenting the customer throuqh the computer system with one or more confiqured products comprises presentinq the one or more configured products found in the inventory of the selling entity that most closely matches the configured product based on using the relative values of the value input associated with the desired option selections (See SFA, Page 3, Paragraphs 1-23).

(K) As per claim 14, SFA discloses the method of claim 1 further comprising a step of presenting the customer by utilizing the computer system with the one or more identified available products found in the inventory of the selling entity that most closely matches the configured product having the desired option selections of the customer (See SFA, Page 3, Paragraphs 1-17).

(L) As per claim 15, Joseph discloses the method of claim 1 further comprising a step of identifying from the inventory of the selling entity one or more available products that exactly corresponds to the configured product (See Joseph, Col.2, lines 24-40).

(M) As per claim 16, Joseph discloses the method of claim 1 further comprising a step of storing in a memory arrangement of the computer system product inventory information related to the inventory of the selling entity, and wherein the identifying step comprises identifying from the inventory of the selling entity, as stored in the memory arrangement, one or more available products that most closely matches the configured product (See Joseph, Col.3, lines 65-67 to Col.4, line 51).

(N) As per claim 17, Dworkin discloses the method of claim 1 further comprising a step of storing in a memory arrangement of the computer system configuration information related to selling entity products offered for sale by the selling entity, and wherein the defining step comprises defining the configured product which satisfies the customer's needs by constraining the selection of available product options to those

stored in the memory arrangement as configuration information (See Dworkin, Col.3, lines 48-67).

(O) As per claim 18, Dworkin discloses a computer system for facilitating a sale of a product from an inventory of a selling entity (See Dworkin, Col.4, lines 45-61), the system comprising:

a memory arrangement having stored therein product inventory information related to the inventory of the selling entity and configuration information related to selling entity products offered for sale by the selling entity (See Dworkin, Col.4, lines 35-44; Col.6, lines 44-64);

a user interface configured to receive from a customer needs and desired option selections related to one or more of products of the selling entity (See Dworkin, Col.3, lines 48-68); and

a configuration engine, operatively coupled to the memory arrangement and user interface (See Dworkin, Col.3, lines 48-68), that (i) receives a value input associated with each desired option selection to rank the importance of each of the desired option selections (See SFA, Page 3, Paragraphs 4-11).

Dworkin and SFA do not explicitly disclose that the computer having and (iii) identifies from the stored product inventory information of the selling entity one or more available products that most closely matches the configured product having the desired option selections of the customer based on the value input associated with the desired option selections, when an identified available product that exactly corresponds to the

configured product is not found in the stored product inventory information of the selling entity.

However, these features are known in the art, as evidenced by Joseph. In particular, Joseph suggests that the computer having (iii) identifies from the stored product inventory information of the selling entity one or more available products that most closely matches the configured product having the desired option selections of the customer based on the value input associated with the desired option selections (See Joseph, Col.4, lines 30-67), when an identified available product that exactly corresponds to the configured product is not found in the stored product inventory information of the selling entity (See Joseph, Col.5, lines 50-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the features of Dworkin, SFA within the system of Joseph with the motivation of determining alternative items for the requested item if the requested item is unavailable (See Joseph, Col.2, lines 29-30).

Dworkin, SFA and Joseph do not explicitly disclose (ii) defines configured product which satisfies the customer's needs and the desired option selections using one or more solvers containing logic rules to constrain selection of available product options.

Furthermore, Dworkin, SFA and Joseph do not explicitly disclose that the method having (ii) defines configured product which satisfies the customer's needs and the desired option selections using one or more solvers containing logic rules to constrain

selection of available product options (See Bennett, Col.10, lines 65-68 to Col.11, line 61; Col.16, lines 22-68).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the features of Bennett within the collective teachings of Dworkin, SFA and Joseph with the motivation of providing a knowledge system for configuration checking which clearly separates the definition of configuration constraints for configuration checking strategies and actions (See Bennett, Col.3, lines 39-43).

(P) As per claim 19, Bennett discloses the computer system of claim 18 wherein the value input associated with the desired options corresponds to one of: (i) a numeric value indicating importance of the associated desired option selection (See Bennett, Col.4, lines 4-16; Col.11, lines 1-11) and (ii) a relative value indicating importance of the associated desired option selection as compared to other desired option selections (See Bennett, Col.13, lines 40-68).

(Q) As per claim 20, Bennett discloses the computer system of claim 18 wherein the logic rules are selected from a group consisting of: (i) constraint rules which define engineering relationships between product options used to constrain use of combinations of options (See Bennett, Col.13, lines 40-59) (ii) resource rules which define relationships between product options in terms of resources used and resources required (See Bennett, Page.29), and (iii) cross-reference rules which define relationships between similar product options (See Bennett, Page 29).

(R) As per claim 21, Bennett discloses the computer system of claim 18 wherein the configuration engine presents the customer through the user interface the one or more identified available products found in the inventory of the selling entity that most closely matches the configured product having the desired option selections of the customer (See Bennett, Col.15, lines 58-68).

(S) As per claim 22, Joseph discloses the computer system of claim 18 wherein the configuration engine identifies from the inventory of the selling entity one or more available products that exactly corresponds to the configured product (See Joseph, Col.2, lines 24-40).

(T) As per claim 23, Joseph discloses the computer system of claim 18 wherein the configuration engine defines the configured product which satisfies the customer's needs by constraining the selection of available product options to the stored configuration information related to selling entity products offered for sale by the selling entity (See Joseph, Col.4, lines 16-67).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited but not the applied art teaches electronic sourcing system (6,055,516).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vanel Frenel whose telephone number is 571-272-6769. The examiner can normally be reached on 6:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ALEX Kalinowski can be reached on 571-272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

V.F
V.F

December 20, 2006

ALEXANDER KALINOWSKI
SUPERVISORY PATENT EXAMINER